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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,574	05/01/2001	Christopher Scott Fuselier	41EB-9023	6754
6152 7590 04/30/2008 PATENT OPERATION GENERAL ELECTRIC COMPANY 41 WOODFORD AVENUE PLAINVILLE, CT 06062				
			EXAMINER LU, KUEN S	
			ART UNIT 2167	PAPER NUMBER
			MAIL DATE 04/30/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/681,574

Applicant(s)

FUSELIER ET AL.

Examiner

KUEN S. LU

Art Unit

2167

Period for Reply
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-5, 36-49, 95, 97-99 and 130 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5, 36-49, 95, 97-99 and 130 is/are rejected.
- 7) ☐ Claim(s) 6 and 100 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 12 November 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/12/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

1. The Action is responsive to Applicants' RCE filed January 15, 2008 and Amendment filed November 12, 2007. It is acknowledged that the claims 1, 3-6, 36-41, 45-48, 95, 97-100 and 130 were amended, and claims 2, 7-35, 50-94, 96, 101-129 and 131-161 were cancelled. As necessitated by the Amendment, Examiner withdraws objections to Figs. 4A-9.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 3-6, 36-49, 95, 97-100 and 130 have been fully considered. Please note Examiner maintains the same grounds of rejections as set forth in the final rejection of September 12, 2007 for instant rejections. Also note Examiner makes objections to claims 6 and 100 in view of its allowable subject matter.

3. Please note claims 1, 3-6, 36-49, 95, 97-100 and 130 are pending.

Information Disclosure Statement

4. The Information Disclosure Statements filed November 12, 2007 has been considered as corresponding PTO-1449 electronically signed and attached. Applicant

is advised to replace form PTO-1449 (Rev. 7-80) by a later release of PTO/SB/08b (8-03).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5.1. Claims 1, 3-5, 36-49, 95, 97-99 and 130 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salam et al. U.S. Patent 6,594,654, hereafter "Salam") in view of Kraft et al. (U.S. Patent Application 2002/0091568, filed 1/10/2001, hereafter "Kraft").

As per claim 1, Salam teaches "A method for providing context sensitive information" (See Fig. 5B and col. 21, lines 28-35 where context sensitive summary constructed and stored) comprising:

"identifying a user associated with a business operation" (See Fig. 13 and col. 29, lines 55-61 where user is identified by member name and password for logging a server);

"defining a query related to the business operation" (See Fig. 2 and col. 13, lines 52-61 where user inputs for search request);

"transmitting the query and the user identity to a server" (See Fig. 3 and col. 17, lines 41-50 where user search request is received by a new search or an improvement of an existing search);

"periodically querying at least one database" (See col. 6, lines 40-44 where the knowledge engine periodically re-evaluate the sources to determine whether they contain additional information relevant to the user's initial search); and

"retrieving said query information from the at least one database" (See Fig. 6 and col. 22, lines 59-61 where search result from a database is retrieved).

Salam does not explicitly teach "retrieving user information from the at least one database", although Salam teaches periodically updating query based on user's initial query at col. 6, lines 40-44.

However, Kraft teaches storing user profiles data into User Profile Database and retrieving profiles data from it at [0080] and [0106]. .

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Kraft with Salam reference by explicitly implementing user profile database on Salam system because both references are directed to database search and identifying a smaller set of data to deliver to user where Kraft tailors advertising message based n current user location and profiles data and Salam stores predetermined subset of searched data set to communicate to the user, and the combined teaching would have allowed Salam's system to select more accurate, more relevant and better updated subset of data to the

user because of availability of better user characteristic data via user profile and user modeling.

The combined teaching of the Kraft and Salam references further teaches the following:

"obtaining a location of the user within a facility, the location of the user related to the user's duties within the business operation" (See Kraft: Abstract and [0025] where GPS locates user's current location and provides directions within a large building);

"creating a context sensitive subset of said query information ~~depending based~~ on said user information and the location of the user within a facility, the query information related to the user's duties within the business operation" (See Salam: col. 15, lines 25-30 where a selected set of search results is retrieved and a context sensitive summary of the results is transferred to the user, and Kraft: Abstract where advertising message is tailored based on user's current location and profiles data and delivered to user); and,

"transmitting said context sensitive subset query information to said user" (See Salam: col. 15, lines 25-30 where a selected set of search results is retrieved and a context sensitive summary of the results is transferred to the user).

As per claim 36, Salam teaches "A system for providing context sensitive information to a user" (See Fig. 5B and col. 21, lines 28-35 where context sensitive summary constructed and stored), comprising:

"a server" (See Fig. 2 and col. 8, line 55 – col. 9, line 6 where a knowledge engine database storing information for searching is connected to a server);

"at least one database connected to said server" (See Fig. 2 and col. 8, line 55 – col. 9, line 6 where a knowledge engine database storing information for searching is connected to a server);

"a query means for executing a predefined query on said at least one database, said query means creating a set of data that is related to a business operation" (See col. 5, lines 34-44 where user searches web sites and obtains desired result related to service requested from service provider); and

"a means for a user to request said set of data from said server, the user associated with the business operation" (See Figs. 13, 2 and col. 29, lines 55-61 where user is identified by member name and password for logging a server, and user inputs for search request);

Concerning the limitation of "an application program on said server, said application program determining the identity of the user, obtaining a location of the user within a facility, and creating a context sensitive subset of said set of data based on the users identity and the location of the user within a facility, the location of the user and said context sensitive subset of said set of data related to the user's duties within the business operation", Salam teaches "an application program on said server, said application program determining the identity of said user" (See Fig. 13 and col. 29, lines 55-61 where user is identified by member name and password for logging a server) and "creating a context sensitive subset of said data" (See col. 15, lines 25-30 where a selected set of search results is retrieved and a context sensitive summary of the results is transferred to the user).

However, Salam does not explicitly teach that the context sensitive subset of said data is created based on users identity as determined by the application program.

However, Kraft teaches storing user profiles data into User Profile Database and retrieving profiles data from it at [0080] and [0106].

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Kraft with Salam reference by explicitly implementing user profile database on Salam system because both references are directed to database search and identifying a smaller set of data to deliver to user where Kraft tailors advertising message based on current user location and profiles data and Salam stores predetermined subset of searched data set to communicate to the user, and the combined teaching would have allowed Salam's system to select more accurate, more relevant and better updated subset of data to the user because of availability of better user characteristic data via user profile and user modeling.

The combined teaching of the Kraft and Salam references further teaches the following: "a means for transmitting said context sensitive subset of said data to said user" (See Salam: col. 15, lines 25-30 where a selected set of search results is retrieved and a context sensitive summary of the results is transferred to the user).

As per claim 95, Salam teaches "A storage medium encoded with machine readable program code for providing context sensitive information to a user, said program code including instructions for causing a computer to implement a method" (See Fig. 5B, col. 11, lines 33-40 and col. 21, lines 28-35 where program modules may be physically located at local or remote memory storage device and execution of programs to have context sensitive summary constructed and stored) comprising:

"identifying a user associated with a business operation" (See Fig. 13 and col. 29, lines 55-61 where user is identified by member name and password for logging a server);

"defining a query related to the business operation y" (See Fig. 2 and col. 13, lines 52-61 where user inputs for search request);

"transmitting said query and said user identity to a server" (See Fig. 3 and col. 17, lines 41-50 where user search request is received by a new search or an improvement of an existing search);

"periodically querying at least one database" (See col. 6, lines 40-44 where the knowledge engine periodically re-evaluate the sources to determine whether they contain additional information relevant to the user's initial search); and

"retrieving said query information from said at least one database" (See Fig. 6 and col. 22, lines 59-61 where search result from a database is retrieved).

Salam does not explicitly teach "retrieving user information from said at least one database", although Salam teaches periodically updating query based on user's initial query at col. 6, lines 40-44.

However, Kraft teaches storing user profiles data into User Profile Database and retrieving profiles data from it at [0080] and [0106]. .

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Kraft with Salam reference by explicitly implementing user profile database on Salam system because both references are directed to database search and identifying a smaller set of data to deliver to user where Kraft tailors advertising message based n current user location and profiles data and Salam stores

predetermined subset of searched data set to communicate to the user, and the combined teaching would have allowed Salam's system to select more accurate, more relevant and better updated subset of data to the user because of availability of better user characteristic data via user profile and user modeling.

The combined teaching of the Kraft and Salam references further teaches the following: "obtaining a location of the user within a facility, the location of the user related to the user's duties within the business operation" (See Kraft: Abstract and [0025] where GPS locates user's current location and provides directions within a large building); "creating a context sensitive subset of said query information ~~depending~~ based on said user information and the location of the user within a facility, the query information related to the user's duties within the business operation" (See Salam: col. 15, lines 25-30 where a selected set of search results is retrieved and a context sensitive summary of the results is transferred to the user, and Kraft: Abstract where advertising message is tailored based on user's current location and profiles data and delivered to user); and, "formatting said subset query information" (See col. 22, line 67 – col. 23, line 2 where format of the delivery information is established once an appropriate delivery method is determined); "transmitting said formatted subset query information to said user " (See Salam: col. 15, lines 25-30 where a selected set of search results is retrieved and a context sensitive summary of the results is transferred to the user).

As per claim 130, Salam teaches "A method of encoding a data signal that is propagated over a propagation medium, ~~said~~ the data signal being context sensitive to a particular user,

said ~~context sensitive data having been encoded by a method~~" (See Fig. 5B, col. 11, lines 33-40 and col. 21, lines 28-35 where program modules may be physically located at local or remote memory storage device and execution of programs to have context sensitive summary constructed and stored) comprising:

"identifying a user associated with a business operation" (See Fig. 13 and col. 29, lines 55-61 where user is identified by member name and password for logging a server);

"defining a query related to the business operation " (See Fig. 2 and col. 13, lines 52-61 where user inputs for search request);

"transmitting said query and said user identity to a server" (See Fig. 3 and col. 17, lines 41-50 where user search request is received by a new search or an improvement of an existing search);

"periodically querying at least one database" (See col. 6, lines 40-44 where the knowledge engine periodically re-evaluate the sources to determine whether they contain additional information relevant to the user's initial search); and

"retrieving query information from said at least one database" (See Fig. 6 and col. 22, lines 59-61 where search result from a database is retrieved).

Salam does not explicitly teach "retrieving user information from said at least one database", although Salam teaches periodically updating query based on user's initial query at col. 6, lines 40-44.

However, Kraft teaches storing user profiles data into User Profile Database and retrieving profiles data from it at [0080] and [0106]. .

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Kraft with Salam reference by explicitly implementing user profile database on Salam system because both references are directed to database search and identifying a smaller set of data to deliver to user where Kraft tailors advertising message based on current user location and profiles data and Salam stores predetermined subset of searched data set to communicate to the user, and the combined teaching would have allowed Salam's system to select more accurate, more relevant and better updated subset of data to the user because of availability of better user characteristic data via user profile and user modeling.

The combined teaching of the Kraft and Salam references further teaches the following: "obtaining a location of the user within a facility, the location of the user related to the user's duties within the business operation" (See Kraft: Abstract and [0025] where GPS locates user's current location and provides directions within a large building); "creating encoding the data signal with a context sensitive subset of said query information depending that is based on said user information and the location of the user within a facility, the query information related to the user's duties within the business operation" (See Salam: col. 15, lines 25-30 where a selected set of search results is retrieved and a context sensitive summary of the results is transferred to the user, and Kraft: Abstract where advertising message is tailored based on user's current location and profiles data and delivered to user).

As per claims 3 and 97 the combined teaching of the Kraft and Salam references further teaches "query definition includes data on the desired format of the information" (See Salam:

col. 9, lines 21-35 where query in a standard HTML request format, as an example, for retrieval data).

As per claims 4 and 98, the combined teaching of the Kraft and Salam references further teaches "said query definition includes data on the desired format of the information" (See Salam: col. 9, lines 21-35 where query in a standard HTML request format and entries to search box, as an example, for retrieval data).

As per claims 5 and 99, the combined teaching of the Kraft and Salam references further teaches "said query definition includes information on the period of time between said queries" (See Salam: col. 6, lines 40-44 where the knowledge engine periodically re-evaluate the sources to determine whether they contain additional information relevant to the user's initial search).

As per claim 37, the combined teaching of the Kraft and Salam references further teaches "The system of claim 36 wherein said application program creates said context sensitive data subset from a set of rules predefined by said user" (See Salam: col. 15, lines 25-30 where a selected set of search results is retrieved and a context sensitive summary of the results is transferred to the user, and Kraft: Abstract where advertising message is tailored based on user's current location and profiles data and delivered to user).

As per claim 38, the combined teaching of the Kraft and Salam references further teaches

"The system of claim 36 further comprising at least one node accessible by said user and remote from said server" (See Salam: Fig. 1 where network system provides user to access knowledge engine server, e-mail system, source systems and payment system at remote).

As per claim 39, the combined teaching of the Kraft and Salam references further teaches "The system of claim 38 wherein said node is a computer" (See Salam: Fig. 1 where network system provides user to access knowledge engine server, e-mail system, source systems and payment system at remote, and the user, systems and server are all computer nodes).

As per claim 40, the combined teaching of the Kraft and Salam references further teaches "The system of claim 38 wherein said node is a personal digital assistant" (See Salam: col. 6, lines 49-52 where user connects to the systems via a PDA).

As per claim 41, the combined teaching of the Kraft and Salam references further teaches "The system of claim 38 wherein said node is a portable communications device" (See Salam: col. 6, lines 49-52 where user connects to the systems via a PDA that is a portable communications device).

As per claim 42, the combined teaching of the Kraft and Salam references further teaches "The system of claim 38 wherein said transmission means is a computer network" (See Salam: Fig. 1 where network system provides user to access knowledge engine server, e-mail system, source systems and payment system at remote).

As per claim 43, the combined teaching of the Kraft and Salam references further teaches "The system of claim 38 wherein said transmission means is a cellular network" (See Salam: col. 22, lines 59-67 where cellular phone is utilized for data delivery).

As per claim 44, the combined teaching of the Kraft and Salam references further teaches "The system of claim 38 wherein said transmission means is via a radio system" (See Salam: col. 22, lines 59-67 where voice response delivery is a radio system).

As per claim 45, the combined teaching of the Kraft and Salam references further teaches the following:

"a network, said server located on said network" (See Salam: Fig. 1 where network system provides user to access knowledge engine server, e-mail system, source systems and payment system at remote, and the user, systems and server are all computer nodes); and "a plurality of databases on said network, said query means accessing said plurality of databases to retrieve said data" (See Salam: Fig. 2 where elements 210s are databases on network and query inputs are connected to the databases).

As per claim 46, the combined teaching of the Kraft and Salam references further teaches "The system of claim 45 wherein said application program queries at least one database to determine the identified user's predefined preferences, said application program creating said context sensitive subset of said data in response to said preferences" (See Salam: col. 15,

lines 25-30 where a selected set of search results is retrieved and a context sensitive summary of the results is transferred to the user, and Kraft: Abstract where advertising message is tailored based on user's current location and profiles data and delivered to user).

As per claim 47, the combined teaching of the Kraft and Salam references further teaches "The system of claim 46 wherein said application program queries at least one database to determine the identified user's schedule said application program creating said context sensitive subset of said data in response to said user's schedule" (See Kraft: [0025] where user's travel goals are considered in tailoring and delivering context sensitive data).

As per claim 48, the combined teaching of the Kraft and Salam references further teaches "The system of claim 47 wherein said application program queries at least one database to determine the identified user's personnel information, said application program creating said context sensitive subset of said data in response to said user's personnel information" (See Salam: col. 15, lines 25-30 where a selected set of search results is retrieved and a context sensitive summary of the results is transferred to the user, and Kraft: Abstract where advertising message is tailored based on user's current location and profiles data and delivered to user).

As per claim 49, the combined teaching of the Kraft and Salam references further teaches "The system of claim 48 wherein said personnel information includes the identified user's job

assignment" (See Kraft: [0080] where User Profile Database stores user personal data in which job assignment is a personal data).

Allowable Subject Matter

6. Claims 6 and 100 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to overcome, if any, of the rejections(s) under 35 U.S.C. § 101 and/or 35 U.S.C. § 112, and in independent form in which all of the limitations of the base claim and any intervening claims are included.

References

7.1. The prior art made of record

- A. U.S. Patent No. 6,594,654
- E. U.S. Patent Application 2002/0091568

7.2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- B. U.S. Patent No. 7,181,438
- C. U.S. Patent No. 6,834,276
- D. U.S. Patent No. 6,779,042

Contact Information

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kuen S. Lu whose telephone number is (571)-272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Cottingham can be reached on (571)-272-7079. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KUEN S. LU,

Art Unit 2167

Primary Patent Examiner

May 1, 2008

/Kuen S Lu/

Primary Examiner, Art Unit 2167